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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,281	07/06/2001	Robert L. Heston	HO-P01981US1	6089
26271	7590	07/13/2006	EXAMINER	
FULBRIGHT & JAWORSKI, LLP 1301 MCKINNEY SUITE 5100 HOUSTON, TX 77010-3095			MOONEYHAM, JANICE A	
			ART UNIT	PAPER NUMBER
			3629	

DATE MAILED: 07/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/900,281	<b>Applicant(s)</b> HESTON, ROBERT L.	
	<b>Examiner</b> Janice A. Mooneyham	<b>Art Unit</b> 3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 28 April 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) 1-25 and 31-45 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 26-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This is in response to the applicant's communication filed on April 28, 2006, wherein:

Claims 1-45 are currently pending;

Claims 1-25 and 31-45 have been withdrawn;

Claims 26-30 have been considered;

Claims 26 has been amended.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 26 and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Grow (US 6,694,315) (hereinafter referred to as Grow).

Referring to Claim 26:

Grow discloses a computer implemented method for enabling a legal entity to perform legal services for clients over a network, said method comprising the steps of:

receiving an access identifier from a client into a program interface (Figures 2(a) and 2b (210); col. 4, lines 15-21 and 53-61; col. 7, lines 24-32 upon accessing the

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website 140, the user workstation will be prompted with a presentation requesting a login identification such as a user ID and a password);

authenticating the access identifier (col. 7, line 33- col. 9, line 13 the identification information input at the user workstation 110 in response to the prompt is received at the website 140 and verified; once the user is verified as a registered user, the host computer will display the user information at the workstation);

displaying one or more collections of case information supplied by the legal entity, said case information being referenced by the client identifier (col. 2, lines 14-34 case data or information, including verification data, caption and certification data, and at least one trigger date is then received at the website from the user workstation over the network backbone and **stored at the website in a case table corresponding to the identification information**; col. 5, lines 23-24 a cross reference or link to the user ID field 210 can also be stored in the case table 230; col. 5, lines 4-22 case table 230; information relevant to a claim acknowledgement document or request of medical records can be stored in the case information field 240, or information relevant to a real estate contract, appraisals, or loan applications);

receiving a selection of one or more collection of case information (col. 8, lines 46-50 the website prompts the user workstation 110 for the case ID); and

responsive to the selection, displaying specific client case matter information (col. 8, lines 46-54 the website 140 first prompts the user workstation 110 for the case ID. In this manner, the host computer 150 can access the case table 230 and determine whether case information corresponding to the input case ID was previously stored; if

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case information is already stored corresponding to the input case ID, the stored case information is displayed at the user workstation 110).

Referring to Claim 30:

Grow discloses wherein the client case matter information includes a schedule of court dates for a case (col. 5, line 61 thru col. 6, line 17 docket field 245 contains a docket or deadline chart; the trigger date field 250 contains a trigger date. For example in a personal injury action, if an Answer must be filed with the court 30 days after service of the Complaint, the date the Complaint is served is the trigger date for filing the Answer).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grow as applied to claim 26 above, and further in view of Bedell et al (US 6,622,128) (hereinafter referred to as Bedell).

Referring to Claim 27:

Grow discloses the method of claim 26. Grow does not disclose the client case information including billing information.

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However, Bedell discloses the client case matter information including client billing information (Figure 3).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate into the case data and docketing method disclosed in Grow the client billing information taught in Bedell so as to provide a means by which legal billing of budgets may be established and monitored in light of on-going billing and to allow users to view and measure incurred fees and expenses while they are accumulating.

Referring to Claim 28:

Bedell discloses wherein the client case matter information includes billing and payment schedules (col. 12, lines 22-25 the system enables interim payments to be made by producing detailed legal bills for completed work products).

Referring to Claim 29:

Bedell discloses wherein the client case matter information includes time sheets identifying time worked by a legal entity (Figure 29).

***Response to Arguments***

4. Applicant's arguments filed April 28, 2006 have been fully considered but they are not persuasive.

The applicant argues that Grow does not disclose the limitation of displaying one or more collections of case information supplied by a legal entity. The Examiner asserts that Grow does disclose case information supplied by a legal entity. Grow discloses an assembled document and docket method and system tailored to the area of practice, jurisdiction, type of case, and attorney or agent wherein the user can update case information and update the docket. Additionally, Grow discloses that attorney work product and confidential information is preserved (col. 2, lines 2-13). The Examiner interprets any information that is input and displayed by an attorney or a law firm as being information that is supplied by a legal entity.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

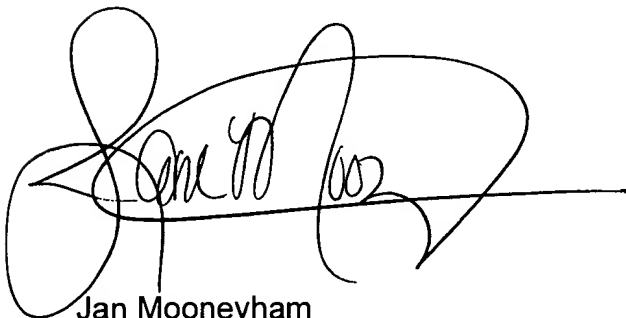


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janice A. Mooneyham whose telephone number is (571) 272-6805. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Jan Mooneyham', with a long horizontal line extending to the right.

Jan Mooneyham  
Patent Examiner  
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